

28 May 1998

SPANISH AND ENGLISH ONLY

ORIGINAL: SPANISH

LAWS AND REGULATIONS

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF THE INTERNATIONAL TREATIES ON NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

In accordance with the relevant articles of the international treaties on narcotic drugs and psychotropic substances, the Secretary-General has the honour to communicate the following legislative texts.

SPAIN

Communicated by the Government of Spain

NOTE BY THE SECRETARIAT

- (a) Some editing of texts may be done by the Secretariat in the interest of clarity. In this connection, words in square brackets [] have been added or changed by the Secretariat.
- (b) Only passages directly relevant to the control of narcotic drugs or psychotropic substances have been reproduced in this document. Non-relevant parts of laws and regulations have been deleted by the Secretariat; such deletions are indicated by [...].

ROYAL DECREE No. 2322, OF 29 DECEMBER 1993, AMENDING THE ORGANIZATIONAL STRUCTURE OF THE MINISTRY OF THE INTERIOR

By Royal Decree No. 2314, of 29 December 1993, the Government Commission for the National Drug Plan was assigned to the Ministry of the Interior in order to provide that organ with the necessary coordination mechanisms for pursuing comprehensive anti-drug action comprising the combating of drug trafficking and also prevention and rehabilitation measures, for which purposes certain amendments are required with regard to the responsibilities of the Government Commission.

Moreover, in view of the increasing importance which has been acquired by immigration and asylum matters, their growing complexity and the increasingly important field of international cooperation, particularly within the European Union, it is advisable to establish a specialist unit at a sufficiently high administrative level that will enable the Ministry of the Interior to properly discharge the responsibilities assigned to it.

Accordingly, on the initiative of the Minister of the Interior, at the proposal of the Minister for Public Authorities, and following deliberations by the Council of Ministers at its meeting on 29 December 1993,

I HEREBY DECREE:

Article one

Paragraphs (c) and (f) of article 3 of Royal Decree No. 1677 of 11 September 1985, as amended by Royal Decree No. 175 of 15 February 1991, shall henceforth be worded as follows:

“Article 3. The Government Commissioner for the National Drug Plan shall be responsible for:

“(c) Undertaking, whenever applicable, coordinating action in this sphere between public authorities and organizations and between the services or units of different ministerial departments; also, in cases where applicable, it may, by delegation of responsibility of the Minister, coordinate activities between units, or in regard to specific members, of the State Security Forces and Bodies;

“(f) Attending meetings of relevant international organizations and participating in the implementation of agreements arising therefrom, particularly meetings held within the framework of cooperation within the European Union in connection with the prevention of drug addiction and the control of drug trafficking, without prejudice to the unit, attached to the Ministry of Foreign Affairs, acting on behalf of and representing the State abroad.”

Article two

1. The Immigration and Asylum Department is hereby established as a body attached to the Office of the Ministerial Under-Secretary. This department will be responsible for presiding over the Interministerial Committee for Asylum and Refugee Matters, the Delegated Commission for Immigration Procedures and the Interministerial Committee for Immigration Matters, for drafting resolutions of the Council of Ministers and of the senior organs of the Ministry of the Interior, and for preparing studies and reports, handling cases and coordinating the discharge of the responsibilities of the Ministry and the Civil Affairs Authorities concerning immigration matters.

2. The following units shall come under the authority of the Immigration and Asylum Department at the divisional organizational level:

(a) The Immigration Affairs Division, which shall be responsible for providing technical support to the Head of the Department in preparing studies and reports and also in coordinating the discharge of the responsibilities of the Ministry and the Civil Affairs Authorities concerning immigration matters and the functions of the Secretariats of the Interministerial Committee for Immigration Matters and its Delegated Committee for Immigration Procedures;

(b) The Asylum Division, which shall perform the administrative functions connected with the Interministerial Secretariat for Asylum and Refugee Matters and the handling of asylum cases, in accordance with the provisions of the legislation in force;

(c) The Institutional Relations Division, which shall be assigned responsibility for coordinating relations with national and international organizations and institutions within the scope of the responsibilities of the Immigration and Asylum Department.

The Immigration Affairs Division and the Asylum Division shall, within their respective functional spheres, discharge the responsibilities assigned to the Department. The Institutional Relations Division shall discharge the functions of coordinating and promoting institutional relations within the scope of the responsibilities assigned to the Department.

Sole additional provision

1. The following executive bodies and units shall be discontinued:
 - (a) At the departmental level: the Technical Office of the National Gaming Commission;
 - (b) At the divisional level:
 1. The Executive Secretariat of the Domestic Policy Department;
 2. The Executive Secretariat of the Technical Office of the National Gaming Commission;
 3. The Administration Division of the Technical Office of the National Gaming Commission.
2. The functions discharged by the Technical Office of the National Gaming Commission shall be performed by the Technical Executive Secretariat.

Sole transitory provision

Units and posts at organizational levels below the divisional level shall continue in existence until such time as the corresponding measures are adopted for the implementation of the present Royal Decree. However, the Ministry of the Interior shall undertake such assignments and, where applicable, redistributions of personnel as may be necessary for the proper execution of the delegation of functions hereby decreed.

Sole revoking provision

Any provisions of equal or lower status which are at variance with the stipulations contained in the present Royal Decree are hereby revoked.

First final provision

The necessary budgetary amendments for the enforcement of the present Royal Decree shall be made by the Ministry of Economic and Financial Affairs.

Second final provision

The Minister of the Interior shall be empowered, following completion of the appropriate legal formalities, to lay down the regulations for the implementation of the provisions contained in the present Royal Decree.

Third final provision

The present Royal Decree shall enter into force on the day following its publication in the *Official State Gazette*.

Done at Madrid, on 29 December 1993.

JUAN CARLOS, KING

The Minister for Public Authorities
JERONIMO SAAVEDRA ACEVEDO